APPENDIX VII

CALIFORNIA STATE RESPONSE SYSTEM

Marine oil spills are typically multi-jurisdictional events involving the responsible party, the State of California represented by the Department of Fish and Game (DFG), Office of Oil Spill Prevention and Response (OSPR), local government, and the United States Coast Guard. Section 8670.7 of the California Government Code establishes that the Administrator of OSPR has the primary state authority to direct removal, abatement, response, containment, and cleanup efforts with regard to all aspects of any oil spill in the marine waters of the State. In recognition of the multi-jurisdictional nature of marine oil spills, the State Marine Oil Spill Contingency Plan provides a response frame work using the Unified Command version of the Incident Command System that meets 29 CFR 1910.120 and CCR Title 19, Division 2, Chapter 1, Sections 2401 thru 2450, the Standardized Emergency Management System (SEMS) Regulations requirement with respect to emergency management response to an oil spill discharge.

The Unified Command Structure provides for the incorporation of local government through Local Emergency Management Plans (Local Government Oil Spill Contingency Plans are a subset of this plan), SIOSC members, the responsible party and the Federal Government represented by the U.S. Coast Guard which is the pre-designated On Scene Coordinator (OSC) under the National Contingency Plan.

The Unified Command will consist of the U.S. Coast Guard, OSPR, and the responsible party. The Unified Command will direct the tactical and strategic response to an oil spill with a unified position to insure clear direction to the responsible party and efficient utilization of resources. OPA 90 clearly establishes that the OSC has the ultimate responsibility for directing oil spill response including response objectives and strategies.

The U.S. Coast Guard in recognition of the vital role and interest local government and the State have in marine oil spills, has entered into a Memorandum of Agreement (MOA) with the State that formalizes designation of responsibilities and authority at the state and local level relative to marine oil spill planning and response.

The U.S. Coast Guard and State MOA is consistent with the requirements of the SEMS regulations which incorporate a broad range of emergency management practices to effectively respond to disasters. Between disasters, SEMS builds connections to integrate management, communications, and resources at the local, regional, and statewide levels to maximize the responsiveness of emergency personnel. SEMS is multi-leveled and designed to manage disasters anytime and anywhere in the State. It is intended to facilitate priority setting, interagency cooperation, and the efficient flow of resources and information, but does not alter statutory authorities or responsibilities of emergency responders. SEMS provides the framework for coordinating state and local government emergency response in California using the existing incident command system and mutual aid agreements. It consists of five organizational levels, five main functions, mutual aid, the Incident Command System, multi/inter-agency coordination, and the operational area concept.

The five organizational levels are:

1. Field level, which includes those entities which manage and coordinate response at the emergency scene.

- 2. Local level, which manages and coordinates county, city, or special districts (which in turn manage and coordinate the field levels).
- 3. Operational areas, which manage and coordinate at the local level (essentially all local governments within the geographic boundary of a county).
- 4. Regional levels, which manage and coordinate information and resources among operational areas.
- 5. State level, which provides statewide regional level resource coordination integrated with federal resource coordination.

The five main functions of the SEMS structure are:

- 1. Management, which provides the overall direction and sets priorities for an emergency, limited by the jurisdiction roles and responsibilities.
- 2. Operations, which implements priorities established by the management function.
- 3. Planning/Intelligence, which gathers and assesses information.
- 4. Logistics, which obtains the resources to support the operations.
- 5. Finance/Administration, which tracks all costs related to the operation.

Most local jurisdictions have "mutual aid" agreements. These agreements provide a means for a community, that has fully committed all of its available resources to a local emergency, to obtain additional resources from surrounding communities and counties. Mutual aid agreements are used daily and during disasters by fire, law enforcement, health care, and other disciplines. SEMS incorporates existing and newly developed mutual aid systems.

The Incident Command System provides standardized procedures and terminology, a unified command structure, a manageable span of control, and an action planning process that identifies overall incident response strategies. Within SEMS the general concepts of the ICS are translated to each level of the statewide response system—from a local field incident to statewide coordination. This allows seamless communications among all responding agencies and levels of government.

SEMS has incorporated a *Maintenance System* comprised of an Advisory Board, a Mutual Aid Regional Advisory Committee, a Technical Group, and Specialist Committees designed to ensure that SEMS incorporates new knowledge gained through emergency response experience, regulatory changes and/or technological developments. With each application of SEMS, new ideas arise to improve the system.

Effective operation of SEMS is critically dependent upon timely and accurate information flow between all components of the system. The Governor's Office of Emergency Services (OES) has instituted the Response Information Management System (RIMS) which is a network that allows for the rapid exchange of critical information and resource management data between various organizational levels during a disaster, including oil and hazardous materials spills. The intent of RIMS is to provide responding agencies a clearer picture of emergency activities and committed resources, by enabling local governments to request and obtain needed assistance and resources, as well as the ability to access such requests and their status.

State Marine Oil Spill Response Utilizing Unified Command Application of the Incident Command System

The Unified Command application of the incident command system will represent the emergency management system implemented at marine oil spills. In keeping with basic principles of ICS, the magnitude and complexity of the emergency dictates which functional area is activated and to what level. The policy of the OSPR will be to insure that full implementation of the OSPR incident command response team is on scene within six hours of a reported spill event, in order to support and/or relieve OSPR first responders.

Local, State, and private resources will be directed, at time of arrival on scene, to the appropriate function within the Unified Command structure. It is recognized that each organization participating in the response may have a command and control organization under which it operates, of which some of the components solely support internal operations and management. The objective of the State Marine Oil Spill Contingency Plan is to identify functional areas where early integration and coordination will improve the efficiency of the response.

By integrating response management in clearly defined units early in the response, consensus and mobilization can be more quickly achieved and limited resources combined to reduce duplication of effort and enhance response performance and perception by the public.

1532 State Interagency Oil Spill Committee (SIOSC)

Pursuant to Sections 8574.1 et seq. of the California Government Code, SIOSC addresses the need for a specific response to land and water releases of oil and petroleum products within California. SIOSC is composed of representatives of state agencies and is chaired by the Administrator of the OSPR.

SIOSC establishes and maintains liaison with federal and local agencies, and public and private organizations engaged in oil pollution prevention and control. It coordinates day-to-day procedures and practices between state agencies and other organizations relative to the prevention and mitigation of oil pollution from oil discharges.

SIOSC also recommends necessary research, development and testing by appropriate organizations of materials, equipment, and methods related to oil spill prevention and control, and prepares and updates the California Oil Spill Contingency Plan. It provides guidance and state agency input to the Regional Response Team, the federal On Scene Coordinator and the State Agency Coordinator in an oil spill emergency.

The State Interagency Oil Spill Committee consists of the Administrator, OSPR as Chairman, and chairpersons from the State Lands Commission and the California Coastal Commission, or their designees, and a designated representative from all of the following agencies:

The California Office of Emergency Services;

The California State Lands Commission;

The California State Water Resources Control Board;

The California Department of Justice;

The California Highway Patrol;

The California National Guard:

The California Department of Conservation(Division of Oil & Gas);

The California Department of Fish and Game;

The California Department of Transportation;

The California Department of Health Services;

The California Department of Parks and Recreation;

The California Department of Water Resources;

The California Department of Forestry;

The California State Fire Marshal;

The California Regional Water Boards;

The California Resources Agency;

The California Office of Environmental Affairs; and

The California Conservation Corps.

Agency capabilities for oil spill emergency response are tabulated in **FIG 1000-D** and **1000-E**. FIGURE xxxx (1000D)

AGENCY CAPABILITIES FOR OIL SPILL EMERGENCY RESPONSE

STATE LEVEL					
AGENCY NAME	OPS	LOG	PLANS	FIN/ADM	
Air Resources Board		Χ	Χ	<u> </u>	
Coastal Commission			X		
Conservation Corps	W/Oil	Χ			
Conservation/Div Oil & Gas		Χ	X	I	
Emergency Services (OES)	PIO/LE	Χ	X	D	
Fire Marshal	LE	Χ	X		
Fish & Game/OSPR	W/IC/LE	Χ	X	I/E/C	
Forestry (CDF)	LE/FP	Χ	X		
Highway Patrol	IC/LE	Χ	X		
Dept of Justice	LE	Χ	X	Е	
State Lands Commission		Χ	X		
National Guard		Χ	X		
Parks and Recreation	OIL/LE	Χ	X	I	
Toxic Substances Control		Χ	X	Е	
Dept of Transportation	Χ	Χ	X	I	
Dept of Water Resources		Χ	X	I	
State Water Res. Ctrl Board		Χ	X	Е	

FIGURE xxxx(was 1000E)

LOCAL LEVEL						
OPS	LOG	PLANS	FIN/ADM			
IC	Χ	Х	D			
FP	Χ	X				
W		X				
LE	Χ					
	Χ					
	Χ					
	Χ	X				
OIL	Χ	X				
	Χ	X				
	OPS IC FP W LE	OPS LOG IC X FP X W LE X X X	OPS LOG PLANS IC X X FP X X W X LE X X X			

LEGEND FOR FIGURES 1000-D & E

C Available to affected entities/ persons
Channels State and Federal disaster fund
E Available to external agencies
FP Fire protection

Available internally
IC Can act as Incident Commander
LE Law enforcement
OIL Oil spill cleanup
PIO Public Information Officer
Wildlife Care

Provides functional support

Note: All state agencies may have a Liaison Function

Χ

Emergency Response - Oil Spills And Hazardous Materials Incidents: The California Department of Fish and Game (DFG) and the Governor's Office of Emergency Services (OES) provides the designated RRT members for the State of California. DFG developed and implements the state's Oil Spill Contingency Plan and serves as the state's public trust representative for fish, wildlife and their habitat at all off-road oil and hazardous waste spills. DFG provides technical advice on cleanup methods to minimize damage to living resources; arranges for and oversees the care and rehabilitation of injured wildlife; determines when to terminate a cleanup when natural resources are threatened or effected; and conducts investigations to establish criminal and civil liability and responsibility and impacts to natural resource. DFG is responsible for the licensing and use of oil spill cleanup agents in state waters.

OES coordinates the emergency activities of all state agencies during and emergency through standardized emergency management system incorporating principles of the incident Command System, the Multi-agency Coordination System, the Mutual Aid Agreement, and the Operational Area Concept. OES wrote the State Emergency Plan and the Hazardous Materials Contingency Plan, and operates the state's central spill notification reporting system.

State statute does not identify a specific agency to serve as an Incident Commander for off-highway inland oil and hazardous waste spills. Typically, local agencies will head the incident command if they have the appropriate training and resources. When natural resources are at risk, DFG will serve as the Incident Commander, and fill positions within the incident command system, when requested by the local agency of the impacted area.

Other State Agencies' Responsibilities and Requirements: Other state agencies that have specific responsibilities during a spill include:

- (a) California Highway Patrol: The California Highway Patrol (CHP) serves as the state's Incident Commander for all on-road spills occurring on all highways constructed as freeways, all state-owned vehicular crossings (toll bridges) and on most highways and roadways (state or county) within the unincorporated areas of the state. The CHP is also responsible for traffic supervision and control in these areas. The CHP provides technical support and expertise concerning commercial vehicle equipment regulations and/or hazardous material transportation provisions.
- (b) Department of Toxic Substance Control: The Department of Toxic Substance Control (DTSC) provides technical advice regarding the safe handling of and suitable disposal of toxic materials. Upon request, DTSC will respond to incidents involving facilities or activities, where it has enforcement responsibilities to ensure compliance with regulations. DTSC's Oil Spill Prevention Unit assists in the assessment, evaluation, and control phases of a hazardous materials incident.
- (c) State Water Resource Control Board: The State Water Board (SWRCB) and its nine Regional Water Quality Control Boards (one located in each of the nine major watersheads of the state), as state trustees for surface waters, provide DFG and DTSC with technical assistance by evaluating the potential impact of hazardous material spills on water resources. Regional Water Quality Control Boards set sediment cleanup limits at spill sites.
- (d) California State Fire Marshal: The State Fire Marshal (CSFM) has the primary responsibility for the safety of all interstate and intrastate hazardous liquid pipelines in the state. CSMF Pipeline Safety Division engineers will respond to all pipeline-related incidents.
- (e) California Department of Parks and Recreation: The Department of Parks and Recreation (DPR) responds locally when a spill or release would impact State Park property. The coordination of local districts is handled through DPR headquarters. Enforcement and non-enforcement staff in each district

may be utilized for traffic control and for evacuating, closing, and patrolling DPR property. DPR ecologist may be used to identify natural and cultural resources at risk, and injuries to such resources. Heavy equipment and operators are also available from DPR.

(f) Department of Transportation: The Department of Transportation (CALTRANS) response to oil spills/hazardous materials releases is generally limited to the area of right-of-way. However, equipment and personnel are available to contain releases occurring off the right-of-way especially in life-threatening incidents in the interest of public safety. Caltrans has 72 emergency responders teams stationed throughout the state and will make its entire fleet of vehicles and their operators available to assist in spill response operations.

Other agencies serve a secondary role and provide technical support and resources as needed: however, they do not generally maintain an emergency support capability for on-scene response. These agencies include State Lands, Department of Agriculture, Department of Justice, Department of Health Services, Office of Environmental Health and Hazard Assessment, California Coastal Commission, Bay Conservation and Development Commission and the Department of Conservation, Division of Oil and Gas, and Geothermal Resources.

APPENDIX X

ATTACHMENT A HMICP (TBD)

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